

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LORENZO CHAVEZ,

Defendant.

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Case No. 8:06CR77

ORDER

This case is before the court on the defendant's Motion for Substance Abuse Evaluation and Request for Hearing (#19). The motion is denied.

The defendant's proposal for substance abuse evaluation fails to present a plan that adequately addresses the court's concerns as set out in the March 31, 2006 Order of Detention (#8) as the plan does not significantly address the defendant's prior criminal history, his active warrants, or the presumption of detention under 18 U.S.C. § 3142(e).

I find the defendant is both a flight risk and a danger and no single condition of release nor any combination of conditions of release mitigate those concerns.

IT IS ORDERED:

1. The defendant's Motion for Substance Abuse Evaluation and Request for Hearing (#19) is denied.

Dated this 15th day of May 2006.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge